



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

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April 23, 2015

**Via E-Filing**

Judge Lauren Esposito  
National Labor Relations Board  
Division of Judges  
120 West 45<sup>th</sup> Street, Eleventh Floor  
New York, New York 10036-5503

Re: Lewis Foods of 42<sup>nd</sup> Street, LLC and  
McDonald's USA, LLC, as Joint  
Employers, et al.  
Case Nos. 02-CA-093893, et al.

Dear Judge Esposito:

Counsel for the General Counsel, counsel for the Charging Parties, and counsel for Respondent McDonald's USA, LLC and McDonald's Restaurants of Illinois, Inc. jointly request that you enter an order clarifying and modifying the protective order entered in this case April 9, 2015 ("the Order") to allow litigation support service providers for counsel access to documents and information designated Highly Confidential in the same manner as such access is permitted for items designated as Confidential. Specifically, the foregoing parties move to amend the Order as follows:

- Strike the word "and" at the end of Section 6.3(5);
- Replace the period at the end of Section 6.3(6) with a semicolon and the word "and"; and
- Insert the following language—taken verbatim from Section 6.2(7)—as Section 6.3(7):  
“(7) litigation support service providers and other individuals assisting the Receiving Party (a) to whom disclosure is reasonably necessary for This Litigation and (b) who have in advance (i) been provided a copy of this Order, (ii) agreed in writing to comply with it, and (iii) been specifically advised that any portion of their work product that contains or discloses the substance of Protected Material is subject to all the provisions of this order.”

McDonald's USA, LLC ("McDonald's"), the Charging Parties, and the General Counsel all anticipate that litigation support service providers will be needed to copy and load materials designated as "Highly Confidential" into electronic review platforms and programs. Thus, to the extent the Order as currently written would arguably prohibit such conduct, the omission of the above-cited language from the Order appears to be a drafting oversight.

I am enclosing a “red-lined” version of the protective order which tracks the changes described above (as well as two formatting changes that eliminate heading “orphans”).

Respectfully submitted,

/s/ Jamie Rucker

Jamie Rucker, Counsel for the General Counsel

Encl.

Copies to all counsel by electronic mail